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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,204	06/20/2003	Arshad Suhail Farooqui	643-003US	7321
22897	7590	09/01/2004	EXAMINER	
DEMONT & BREYER, LLC			TRA, ANH QUAN	
SUITE 250				
100 COMMONS WAY			ART UNIT	PAPER NUMBER
HOLMDEL, NJ 07733			2816	

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/601,204	FAROOQUI, ARSHAD SUHAIL	
	<b>Examiner</b>	<b>Art Unit</b>	
	Quan Tra	2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 20 June 2003.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 7-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date 6/20/03.

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-3, drawn to bandgap voltage generator, classified in class 327, subclass 539.
  - II. Claims 4-6, drawn to reference voltage divider, classified in class 327, subclass 541.
  - III. Claims 7-20, drawn to voltage generator, classified in class 327, subclass 538.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group III and Groups I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because any bandgap voltage generator and any voltage divider can be used. The subcombination has separate utility such as the bandgap voltage generator or the voltage divider can be used in for generating reference voltage for a memory circuit.

3. Inventions Group I and Group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has

separate utility such as diving any voltage to generate a lower reference voltage. See MPEP § 806.05(d).

4. Because these inventions are distinct for the reasons given above and the search required for Group III is not required for Group I and Group II, restriction for examination purposes as indicated is proper.

5. During a telephone conversation with Jason Paul DeMont on August 26, 2004 a provisional election was made without traverse to prosecute the invention of Group III, claims 7-20. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-6 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

#### ***Claim Objections***

6. Claim 14 is objected to because of the following informalities: "wherein and said common" should be --wherein said common--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 7-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 is misdescriptive, thereby renders the claim indefinite. It is misdescriptive to recite "said positive input terminal of said operational amplifier is electrically connected to the output terminal of the bandgap reference voltage generator" and "the drain of said transistor is electrically connected to the negative input terminal of said

operational amplifier". In contrast, figure 4 shows the negative terminal of the operational amplifier is coupled to the output the bandgap circuit and the positive terminal of the operational amplifier is coupled to the drain of the transistor.

Claims 8-20 are rejected as including the indefiniteness of claim 7.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 7-11 and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mosinskis et al. (USP 6529653).

As to claim 7, Mosinskis et al. discloses in figure 3 an apparatus comprising: a bandgap reference voltage generator (360) having an output terminal; an operational amplifier (613) having a positive input terminal, a negative input terminal, an output terminal, wherein the positive input terminal of operational amplifier is electrically connected to the output terminal of the bandgap reference voltage generator (*noted that figure 3 shows the positive terminal of the amplifier 316 is coupled to the bandgap circuit. However, the negative terminal, instead of the positive terminal, of the amplifier must be coupled to the bandgap circuit in order to maintain the voltage at the drain of transistor M1 to be equal to the bandgap voltage*); a transistor (M1) having a gate, a source, and a drain, wherein the gate of the transistor is electrically connected to the

output of said operational amplifier, and wherein the drain of the transistor is electrically connected to the negative input terminal of said operational amplifier; and a voltage divider (R3, R4) having a input terminal, an output terminal, and a common terminal, wherein the input terminal of the voltage divider is electrically connected to the negative input terminal of the operational amplifier.

As to claim 8, figure 3 shows that the transistor is a PMOS transistor.

As to claim 9, figure 3 shows a startup network (378, 374) having a positive supply terminal and an output terminal, wherein the output terminal of the startup network is electrically connected to the input terminal of the voltage divider.

As to claim 10, figure 3 shows a self-biasing network ( 334, 350, 354, 344) having a positive supply terminal (positive terminal of 334), a common terminal (ground), and an output terminal (output of 354), wherein the positive supply terminal of the Self-biasing network is electrically connected to the output terminal of the startup network, and wherein the common terminal of the self-biasing network is electrically connected to the common terminal of the voltage divider.

As to claim 11, figure 3 shows that the bandgap voltage reference generator also comprises a bias terminal, and wherein the output terminal of the self-biasing network is electrically connected to the bias terminal of the bandgap voltage reference generator.

As to claim 13, figure 3 it is inherent that the bandgap reference voltage generator further comprises ; positive supply terminal an; a common terminal, and wherein the operational amplifier also comprises a positive supply terminal and a common terminal, and wherein the positive supply terminal of the bandgap reference voltage generator is

electrically connected to the positive supply terminal of said operational amplifier, and the common terminal of said bandgap reference voltage generator is electrically connected to the common terminal of the operational amplifier (*the circuits must coupled between power supply and ground in order to operate*).

As to claim 14, figure 3 shows the common terminal of the voltage divider is electrically connected to the common terminal of the operational amplifier (*the operational amplifier must be connected to ground in order to operate*).

As to claim 15, figure 3 shows that the positive supply terminal of the startup network is electrically connected to the positive supply terminal of the operational amplifier (*the amplifier is also has to connect to Vcc in order to operate*).

As to claim 16, figure 3 shows that the source terminal of the transistor is electrically connected to the positive supply terminal of the operational amplifier.

#### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mosinskis et al. (USP 6529563) in view of Connell et al. (USP 6441594).

As to claim 17, Mosinskis et al.'s figure 3 shows all limitations of the claim except for a capacitor coupled between the output of the bandgap reference generator and ground. However, Connell et al.'s figure 2 shows capacitor 126 coupled between an output of a reference voltage generator and ground in order to stabilizing the output

voltage. therefore, it would have been obvious to one having ordinary skill in the art to add capacitors respectively coupled to the output of each voltage generator, i.e. the output of the bandgap reference voltage generator, the output of voltage generator (316, M1), and the output of the voltage divider (324, 326) in Mosinskis et al.'s figure 3 for the purpose of stabilizing the output voltage of each voltage generator in figure 3.

As to claim 18, the modified Mosinskis et al.'s figure 3 shows a capacitor coupled between the output of the voltage generator (M1, 316) and ground.

As to claim 19, the modified Mosinskis et al.'s figure 3 shows a capacitor coupled between the output of the output of the voltage divider and ground.

***Allowable Subject Matter***

13. Claims 12 and 20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 12 would be allowable because the prior art fails to teach or suggest that the operational amplifier comprises a bias terminal, and wherein said output terminal of said self-biasing network is electrically connected to the bias terminal of the operational amplifier.

Claim 20 would be allowable because the prior art fails to teach or suggest a capacitor coupled between the output of the self-biasing network and the common terminal.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are cited as interest because they show some circuits analogous to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quan Tra whose telephone number is 571-272-1755. The examiner can normally be reached on 8:00 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quan Tra  
Patent Examiner

August 27, 2004